

ORIGINAL

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE DIVISION)

DAVID HO, on behalf of himself and
others similarly situated and on behalf
of the general public and DOES 1-20

Plaintiff,

v.

ERNST & YOUNG, LLP

Defendant.

Case No.

**DECLARATION OF RICHARD
KAUL IN SUPPORT OF
DEFENDANT ERNST & YOUNG
LLP'S NOTICE OF REMOVAL OF
ACTION**

**(SANTA CLARA SUPERIOR
COURT CASE NO. 105CV049741)**

1 I, Richard Kaul, certify and declare as follows: I am over eighteen years of age and
2 have personal knowledge of the facts set forth in this declaration and would testify
3 competently to them under oath if called as a witness.

4 1. I am currently employed as Ernst & Young LLP's ("Ernst & Young" or
5 "the Firm") National Manager for Equal Employment Opportunity and Affirmative
6 Action. In that position, I am familiar with and have personal knowledge of Ernst &
7 Young's organization as a limited liability partnership, policy-making procedures,
8 workforce distribution, and general business affairs.

9 2. Ernst & Young is a limited liability partnership organized under the laws of
10 the State of Delaware and was so as of September 26, 2005.

11 3. Ernst & Young maintains its headquarters at 5 Times Square, New York,
12 New York 10036. Ernst & Young's executive and administrative operations are
13 centrally managed from this location.

14 4. The executive officers of Ernst & Young, including the chairman and chief
15 executive officer, chief financial officer, vice chair of finance and administration, vice
16 chair and general counsel, and vice chair of people (human resources) maintain their
17 offices at Ernst & Young's headquarters in New York.

18 5. From its headquarters in New York, Ernst & Young makes and
19 implements firm-wide operating, financial, employee relations, marketing,
20 development, accounting, treasury, and legal policy decisions.

21 6. Meetings of Ernst & Young's Americas Executive Board regularly take
22 place in New York.

23 7. Currently, Ernst & Young employs approximately 25,000 individuals in
24 forty states and the District of Columbia. The Firm employs more than 4,600
25 individuals in New York. The Firm does not employ as many individuals in any other
26 state. Specifically, the Firm employs fewer than 3,000 individuals in California.

1 I declare under penalty of perjury under the laws of the United States that the
2 foregoing is true and correct.

3
4 Executed on this 28th day of November, 2005, in Lyndhurst, New Jersey.

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6
7 
Richard Kaul